

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 1:09CR121-A-S

MAURICE ACKER

AMENDED ORDER GRANTING PSYCHIATRIC EVALUATION

On motion by the Defendant requesting psychiatric evaluation for a competency, the Court finding said motion well-taken,

IT IS ORDERED:

1. That the Defendant shall be examined by a psychologist or psychiatrist at a federal facility determined by the Bureau of Prisons pursuant to 18 U.S.C. §4241;
2. That the psychiatric examination of the Defendant Maurice Acker should be conducted by a psychologist or psychiatrist within the next thirty days. Pursuant to 18 U.S.C. §4247(c) a psychological report shall be prepared and copies will be forwarded to U.S. District Judge Sharion Aycock, the U.S. District Court Clerk, Counsel for the Government and Counsel for the Defendant, and shall include:
 - (i) the person's history and present symptoms;
 - (ii) a description of the psychiatric, psychological, and medical tests that were employed and their results;
 - (iii) the examiner's finding from each test applied, and
 - (iv) the examiner's opinions as to diagnosis, prognosis, and whether:

- the person is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; and
 - the person suffers from a mental disease or defect that effected his mental responsibility and culpability relating to the actions made basis of the present indictment
 - any recommendation the examiner may have as to how the mental condition of the Defendant should effect a sentence imposed, if any, at the conclusion of this case.
3. That from the time of the initial filing of the Motion for Psychiatric Evaluation in this case, which is September 9, 2009, until such time as the psychiatric report is submitted to the court, such time is hereby excluded under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(A) and 3161(h)(7).

SO ORDERED, this the 9th day of September, 2009.

/s/ David A. Sanders
U.S. MAGISTRATE JUDGE